UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

———————

No. 05-6320

———————

ELSON MCKANIC,

                                        Petitioner - Appellant,

        versus

E. RICHARD BAZZLE, Warden; HENRY D. MCMASTER,
Attorney General for South Carolina,

                                        Respondents - Appellees.

———————

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Henry M. Herlong, Jr., District
Judge. (CA-04-1835-9-20BG)

———————

Submitted: June 23, 2005   Decided: June 30, 2005

———————

Before WIDENER, MICHAEL, and TRAXLER, Circuit Judges.

———————

Dismissed by unpublished per curiam opinion.

———————

Elson McKanic, Appellant Pro Se. Donald John Zelenka, Chief Deputy
Attorney General, Columbia, South Carolina, for Appellee.

———————

PER CURIAM:

Elson McKanic, a state prisoner, seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2254 (2000) petition. This order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1); see Reid v. Angelone, 369 F.3d 363, 368-69, 374 n.7 (4th Cir. 2004). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of his constitutional claims is debatable and that any dispositive procedural findings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude that McKanic has not make the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument, because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

- 2 -